

1 DENNIS J. HERRERA, State Bar #139669
2 City Attorney
3 ELIZABETH S. SALVESON, State Bar #83788
4 Chief Labor Attorney
5 JONATHAN C. ROLNICK, State Bar #151814
6 LAUREN M. MONSON, State Bar #242819
7 Deputy City Attorney
Fox Plaza
1390 Market Street, 5th Floor
San Francisco, California 94102-5408
Telephone: (415)554-3856
Facsimile: (415)554-4248
E-Mail: lauren.monson@sfgov.org

Attorneys for Defendant
CITY AND COUNTY OF SAN FRANCISCO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SHANIA RAMAN,

Plaintiff.

VS.

THE CITY AND COUNTY OF SAN FRANCISCO, a municipality and political subdivision of the State of California, and BRYAN THOMASSON, an individual.

Defendant(s).

Case No. C10-0752PJH

**STIPULATION TO EXTEND ENE DEADLINE
AND PROPOSED ORDER**

Trial Date: October 24, 2011

PLEASE TAKE NOTICE that Defendant City and County of San Francisco ("Defendant") respectfully files this request for an extension of the deadline to complete an early neutral evaluation ("ENE") in this matter. Defendant, in stipulation with Plaintiff and Defendant Thomasson, request that the ENE deadline be continued 120 days to December 28, 2010.

A case management conference was held on May 27, 2010. On June 1, 2010 the court issued the Case Management and Pretrial Order, referring the case to ADR for ENE to be completed within 90 days. The 90 days expires on August 30, 2010.

1 ENE evaluator, George Harris, was appointed by the ADR clerk on July 19. (See Docket No.
2 129.) The evaluator contacted the parties on August 3 and scheduled a phone conference for August 6.
3 On August 6 the phone conference was not able to take place due to unavailability of Plaintiffs'
4 counsel. The phone conference was subsequently rescheduled to August 13.

5 Given the parties' and evaluator's schedules, the parties are unable to complete ENE prior to
6 August 30. Moreover, at this point there has been limited discovery in this case. Other than initial
7 disclosures, the only discovery includes requests for production noticed by Defendant City and several
8 subpoenas for records noticed by Defendant Thomasson. A response to either is yet to be received.
9 The parties believe additional discovery is necessary to make the ENE a productive process. In
10 addition, Defendant City's counsel is unavailable and out of the country the first three weeks of
11 October, the ENE evaluator is unavailable the last week of October and first three weeks of November
12 due to an arbitration in Singapore, and Defendant City's counsel is scheduled for a two week trial
13 November 29.

14 For the above reasons, Defendant City, Defendant Thomasson and Plaintiff request a 120 day
15 extension of the ENE deadline to December 28, 2010. All parties are in agreement with this request
16 and their stipulation is below:

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 IT IS STIPULATED BY THE PARTIES AS FOLLOWS:

2 1) The parties desire to engage in further discovery before completing the ENE.

3 2) According to the above, the parties stipulate to extend the ENE deadline 120 days to
4 December 28, 2010.

5 3) This agreement between the parties will require no other modification of the scheduling
6 order.

7 4) The parties request that the Court enter an order consistent with this stipulation.

8 Dated: August 13, 2010

9 By: /s/ Lauren M. Monson
10 LAUREN M. MONSON
11 Attorneys for Defendant
CITY AND COUNTY FOR SAN FRANCISCO

12 Dated: August 13, 2010

13 By: /s/ Geoffrey Gordon-Creed
14 Geoffrey Gordon-Creed
15 Attorney for Defendant BRYAN THOMASSON

16 Dated: August 13, 2010

17 By: /s/ Evgenii Sverdlov
18 EVGENII SVERDLOV, ESQ.
19 Attorney for Plaintiff SHANIA RAMAN

20 **PURSUANT TO STIPULATION, IT IS SO ORDERED:**

21 Dated: 8/17/10

